IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FOUR

: PRESENT:
THE HON'BLE DR. JUSTICE: **MOTILAL B. NAIK**
AND
THE HON'BLE MR. JUSTICE: **DALAVA SUBRAHMANYAM**

WRIT PETITION No**. 5533 of 2004**

Between:

M/s Sri Bhaskara Modern Rice Mill, Mori, Sakhinetipalli Mandal,
E.G. District, rep by its Proprietor Sri Chinta Mahananda Rao

Petitioner

AND

1. The Appellate Deputy Commissioner of Commercial Taxes, CBM Compound, Visakhapatnam
2. The Commercial Tax Officer, Ambajipeta, E.G. District

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction particularly in the nature of Writ of Mandamus declaring the proceedings of the Appellate Deputy Commissioner, Visakhapatnam dated 28-11-2003 in Appeal No's SPL/E.197, 199 and 200/03-04 as illegal, improper, arbitrary and contrary to the appeal records and pendency of the appeals in Appeal No's.327, 427 and 600/02-03 and consequently direct the Appellate Deputy Commissioner to dispose of the appeals by issue of hearing notice to the petitioner or it is authorised representative and pending disposal of the said appeals, the second respondent namely CTO, Ambajipeta may be restrained from taking any action for recovery of the disputed taxes mentioned in Form-V notice dated 15-3-2004.

The writ petition coming on for orders upon perusing the petition and affidavit and upon hearing the arguments of Mr. M.V.J.K. Kumar , Advocate for Petitioner and of G.P for Commercial Taxes on behalf of respondents.

The Court made the following :

ORDER :

Post for admission on Wednesday.

Let, status – quo be maintained by both the parties pending passing further orders, for a period of one week.

ASSISTANT REGISTRAR
// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Appellate Deputy Commissioner of Commercial Taxes, CBM Compound, Visakhapatnam
2. The Commercial Tax Officer, Ambajipeta, E.G. District
3. Two CC's to G.P for Commercial Taxes, High Court of A.P., Hyderabad (OUT)
4. One Spare Copy

Skm

HIGH COURT

DT. 24-03-2004

NOTE: POST FOR ADMISSION ON WEDNESDAY

ORDER

W.P.No. **5533 of 2004**

STATUS QUO

HIGH COURT

DRAFTED BY : SKM
DRAFTED ON : 25-03-2004

Dr. MBN, J & DSM, J

DT. 24-03-2004

NOTE: POST FOR ADMISSIN ON WEDNESDAY

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ORDER

W.P.No. 5533 of 2004

STATUS QUO